

By: Clardy

H.B. No. 1521

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the slaughter of certain domestic or exotic fowl  
3 infected with or exposed to disease and compensation of owners of  
4 fowl infected with or exposed to disease.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The heading to Section 161.0415, Agriculture  
7 Code, is amended to read as follows:

8 Sec. 161.0415. DISPOSAL OF DISEASED OR EXPOSED LIVESTOCK OR  
9 FOWL.

10 SECTION 2. Sections 161.0415(a) and (b), Agriculture Code,  
11 are amended to read as follows:

12 (a) The commission by order may require the slaughter of  
13 livestock, domestic fowl, or exotic fowl, under the direction of  
14 the commission, or the sale of livestock, domestic fowl, or exotic  
15 fowl for immediate slaughter at a public slaughtering establishment  
16 maintaining federal or state inspection if the livestock, domestic  
17 fowl, or exotic fowl is exposed to or infected with a disease other  
18 than bluetongue or vesicular stomatitis that:

19 (1) is recognized by the United States Department of  
20 Agriculture as a foreign animal disease;

21 (2) is the subject of a cooperative eradication  
22 program with the United States Department of Agriculture;

23 (3) is named on "List A" of the Office International  
24 Des Epizooties; or

1           (4) is the subject of a state of emergency, as declared  
2 by the governor.

3           (b) The commission by order may require the slaughter and  
4 disposal of livestock, domestic fowl, or exotic fowl exposed to or  
5 infected with a disease not listed in Subsection (a) if the  
6 commission determines that action to be necessary for the  
7 protection of animal health in this state. The commission shall  
8 immediately deliver a copy of an order issued under this subsection  
9 to the appropriate legislative oversight committees.

10          SECTION 3. The heading to Section 161.058, Agriculture  
11 Code, is amended to read as follows:

12           Sec. 161.058. COMPENSATION OF LIVESTOCK OR FOWL OWNER.

13          SECTION 4. Sections 161.058(a) and (c), Agriculture Code,  
14 are amended to read as follows:

15           (a) The commission may pay an indemnity to the owner of  
16 livestock, domestic fowl, or exotic fowl exposed to or infected  
17 with a disease if the commission considers it necessary to  
18 eradicate the disease and to dispose of the exposed or diseased  
19 livestock, domestic fowl, or exotic fowl. The commission shall  
20 provide the owner with information regarding available state or  
21 federal indemnity funds.

22           (c) The commission may spend funds appropriated for the  
23 purpose of this section only for direct payment to owners of exposed  
24 or infected livestock, domestic fowl, or exotic fowl.

25          SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this  
2 Act takes effect September 1, 2013.